

FILED

DEC 11 2012

**Board of Vocational Nursing
and Psychiatric Technicians**

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8 **BEFORE THE**
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. VN-2010-996

12 **KADIJATU SUDIERATU TIMBO**
13 **18400 Malden St., #33**
Northridge, California 91325

A C C U S A T I O N

14 **Vocational Nurse License No. VN 233551**

15 Respondent.
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17 Complainant alleges:

18 **PARTIES**

19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely
20 in her official capacity as the Executive Officer of the Board of Vocational Nursing and
21 Psychiatric Technicians ("Board"), Department of Consumer Affairs.

22 2. On or about April 5, 2008, the Board issued Vocational Nurse License Number
23 VN 233551 to Kadijatu Sudieratu Timbo ("Respondent"). Respondent's vocational nurse license
24 was in full force and effect at all times relevant to the charges brought herein and expired on
25 December 31, 2011, and has not been renewed.

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STATUTORY PROVISIONS

3. Business and Professions Code ("Code") section 2875 provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with section 2875) of the Vocational Nursing Practice Act.

4. Code section 2878 states, in pertinent part:

The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code § 2840, et seq.)] for any of the following:

(a) Unprofessional conduct . . .

(1) Incompetence, or gross negligence in carrying out usual nursing functions.

5. California Code of Regulations, title 16, section 2519, states:

"As set forth in section 2878 of the Code, gross negligence is deemed unprofessional conduct and is a ground for disciplinary action. As used in section 2878 'gross negligence' means a substantial departure from the standard of care which, under similar circumstances, would have been ordinarily been exercised by a competent licensed vocational nurse, and which has or could have resulted in harm to the consumer. An exercise of so slight a degree of care as to justify the belief that there was a conscious disregard or indifference for the health, safety, or welfare of the consumer shall be considered a substantial departure from the above standard of care."

COST RECOVERY

6. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

7. Respondent is subject to disciplinary action pursuant to Code section 2878, subdivision (a)(1), on the grounds of gross negligence, as defined in California Code of

1 Regulations, title 16, section 2519, in that Respondent, a licensed vocational nurse for Accredited
2 Family of Home Care Services, committed gross negligence by the following;

3 a. On or about August 13, 2010, during a routine home visit, Respondent negligently
4 administered 100 units of insulin instead of the correct dosage of 20 units of insulin to
5 Patient S.H.¹

6 b. Patient S.H. became unresponsive and was transported to a nearby hospital. Patient
7 S.H. remained unresponsive for 4 hours and was eventually discharged from the hospital on
8 or about August 17, 2010.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Unprofessional Conduct)**

11 8. Respondent is subject to disciplinary action pursuant to Code section 2878,
12 subdivision (a), on the grounds of unprofessional conduct, in that on or about August 12, 2010,
13 while on duty as a licensed vocational nurse, Respondent committed acts constituting
14 unprofessional conduct, as more particularly set forth in paragraphs 7, subparagraphs a-b above.

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16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
18 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
19 issue a decision:

20 1. Revoking or suspending Vocational Nurse License Number VN 233551, issued to
21 Kadijatu Sudieratu Timbo;

22 2. Ordering Kadijatu Sudieratu Timbo to pay the Board of Vocational Nursing and
23 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
24 pursuant to Business and Professions Code section 125.3;

25 3. Taking such other and further action as deemed necessary and proper.

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27 ¹ Patient will be referred to by initials only for the patient's privacy. The patient's identity
28 will be provided in discovery.

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DATED: DEC 11 2012



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

LA2012507664